

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE  
LITIGATION

MDL NO. 1456  
Master File No. 01-12257-PBS

**THIS DOCUMENT RELATES TO**

*United States of America ex rel. Ven-A-Care  
of the Florida Keys, Inc. v. Dey L.P., et al.,  
Civil Action No. 05-11084*

Subcategory Case No. 06-11337

Hon. Patti B. Saris

*United States of America ex rel. Ven-A-Care  
of the Florida Keys, Inc. v. Boehringer  
Ingelheim Corp., et al., Civil Action  
No. 07-10248*

**VEN-A-CARE OF THE FLORIDA KEYS, INC.'S NOTICE OF  
JOINDER IN THE UNITED STATES' WITNESS LIST,  
DEPOSITION DESIGNATIONS AND EXHIBIT LIST  
AND SUPPLEMENTAL EXHIBIT LIST PURSUANT TO  
FEDERAL RULE OF CIVIL PROCEDURE 26(a)(3)**

Pursuant to this Court's Order dated October 20, 2009 [Master Docket No. 6613] and Federal Rule of Civil Procedure 26(a)(3), Ven-A-Care of the Florida Keys, Inc. ("Ven-A-Care") files its Notice of Joinder in the United States' Witness List, Deposition Designations and Exhibit List and files its Supplemental Exhibit List for the above captioned cases. Ven-A-Care adopts the United States' Witness List, Deposition Designations and Exhibit List in their entirety and supplements the United States' Exhibit List as follows. Attached as "Exhibit A" is Ven-A-Care's description of exhibits Ven-A-Care expects to introduce at trial along with descriptions of the documents by bates number. With respect to Ven-A-Care's Supplemental Exhibit List, the inclusion of a document as an

exhibit does not constitute an admission by Plaintiffs that the document is admissible in evidence, and Plaintiffs reserve the right to object to its admission in evidence if offered by a Defendant.

Dated: MARCH 16, 2010

Respectfully submitted,

/s/ Alison W. Simon  
ALISON W. SIMON, P.A.  
Alison W. Simon  
Florida Bar No. 0109568  
P. O. Box 430457  
MIAMI, FL 33243  
Phone: 305-663-2433  
Fax: 305-665-1508

#### **CERTIFICATE OF SERVICE**

I hereby certify that I have this 16th day of March, 2010 caused an electronic copy of the above VEN-A-CARE OF THE FLORIDA KEYS, INC.'S NOTICE OF JOINDER IN THE UNITED STATES' WITNESS LIST, DEPOSITION DESIGNATIONS AND EXHIBIT LIST AND SUPPLEMENTAL EXHIBIT LIST PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 26(a)(3) to be served on all counsel of record via electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to LexisNexis File & Serve for posting and notification to all parties.

/s/ Alison W. Simon  
Alison W. Simon